

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

MOVIE GALLERY US, LLC,

Plaintiff,

vs.

**MARK W. GREENSHIELDS,
ASSOCIATED SOURCING, and
ASSOCIATED SOURCING HOLDINGS,
INC. d/b/a VIDEO LIBRARY**

Defendants.

CIVIL ACTION NO. 2:07CV1032-MHT

UNOPPOSED MOTION TO EXTEND THE TIME TO TAKE TWO DEPOSITIONS

Plaintiff respectfully requests this Court to allow it an additional thirty days in which to take the depositions of Adam Plymale and Andrew Kiel, two employees of Defendant Associated Sourcing Holdings, Inc. Defendants consent to this extension.

This Court previously set the deadline to take the depositions of Messrs. Plymale and Kiel for July 18, 2008. (*See* Pacer Doc. 57.) The bases of the Parties' previous motion regarding the depositions of Messrs. Plymale and Kiel was Mr. Kiel's health condition and the desire to avoid unnecessary travel. (*See* Pacer Doc. 56.) Since this Court's Order regarding the same, Mr. Kiel has recovered sufficiently to be deposed. Further, to avoid unnecessary costs, the Parties have agreed that these depositions will take place in Seattle, Washington (Mr. Kiel resides in Billings, Montana and Mr. Plymale resides near Seattle, Washington). However, in light of the time it has taken for Mr. Kiel to recover and the personal schedules of the deponents, as well as the schedules of the attorneys involved, the Parties agree that an additional 30 days in which to take the depositions of Messrs. Plymale and Kiel would best serve the interests of the Parties. Such an extension would have no bearing on the trial date or any other deadlines in the case, and

would not prejudice the Parties. Accordingly, Plaintiff respectfully requests an additional 30 days in which to take the depositions of Messrs. Plymale and Kiel.

Counsel for Defendants has reviewed this submission and has expressly given his consent for the undersigned to file the same.

Respectfully submitted,

/s J. Ethan McDaniel
J. Ethan McDaniel (MCD065)
One of the attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on July 2, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Charles Andrew Stewart, III
Quindal C. Evans
John Edward Goodman
Philip E. Cutler
Robert G. Nylander

/s J. Ethan McDaniel
OF COUNSEL